



Ohio Administrative Code

Rule 5101:1-2-01 The application process for Ohio works first, disability financial assistance, and refugee cash assistance.

Effective: January 1, 2019

(A) Application processing definitions.

(1) "Application" includes JFS 07200 "Request for Cash, Food, and Medical Assistance" (rev. 10/2018), JFS 07204 "Request to Reapply for Cash and Food Assistance" (rev. 10/2018), or electronic equivalent or telephonic equivalent.

(2) "Assistance group" is a group of recipients receiving benefits together under a specific category of assistance. In the Ohio works first (OWF) program, "assistance group" is defined in section 5107.02 of the Revised Code, and means a group of individuals treated as a unit for purposes of determining eligibility for and the amount of assistance provided under OWF.

(3) An "authorized representative" is an individual, eighteen years of age or older, who stands in place of the assistance group. The authorized representative may act on behalf of individuals inside or outside the household in which the authorized representative lives.

(4) A "case" consists of one or more assistance groups.

(5) "Household" is defined as a personal place of residence. A commercial establishment such as a hotel or boarding house is not a household. However, a household can exist within a commercial establishment.

(6) "Signature" includes:

(a) Handwritten signatures (including handwritten signatures that are transmitted by facsimile or other electronic submission):

(i) When the signatory cannot sign with a name, an "X" is a valid signature.



(ii) The county agency may require a witness to attest to an "X" signature. An employee of the county agency may serve as a witness.

(b) Electronic signatures through the online application; and

(c) Telephonic signatures obtained in accordance with procedures approved by the Ohio department of job and family services (ODJFS).

(B) What is the application process?

(1) The application process is a series of activities that includes:

(a) A request for cash assistance,

(b) An interactive interview, and

(c) Approval or denial of benefits.

(2) For OWF applicants the application process also includes:

(a) Prior to authorization, the county agency shall:

(i) For each work eligible individual between the ages of fourteen and twenty-four:

(a) Not later than seven days from the date of application, refer the individual to a lead agency for a comprehensive assessment conducted in accordance with rule 5101:14-1-04 of the Administrative Code; and

(b) Ensure the individual has signed an individual opportunity plan developed in accordance with paragraph (G) of rule 5101:14-1-04 of the Administrative Code, that includes an assignment to at least one comprehensive case management and employment program (CCMEP) service or activity.

(ii) For all other work eligible individuals, minor heads of household and adult members of the



assistance group, assess, appraise, and enter into a written self sufficiency contract (SSC) for each work eligible individual, minor head of household and adult member of the assistance group, in accordance with rule 5101:1-3-11 of the Administrative Code.

(b) As agreed in the SSC, the county agency may require a work eligible individual to complete a job search and job readiness applicant assignment as described in rule 5101:1-3-12.5 of the Administrative Code, prior to authorization of OWF benefits as described in rule 5101:1-3-11 of the Administrative Code. In accordance with rule 5101:9-2-02 of the Administrative Code, when the work eligible individual discloses, has, or appears to have a physical or mental condition that substantially limits one or more major life activities, the county agency shall ensure that the assignment is consistent with its Americans with Disabilities Act (ADA) of 1990 plan in accordance with rule 5101:9-2-02 of the Administrative Code.

(3) The application process requires the complete cooperation of the assistance group and the prompt responsiveness of the county agency.

(4) The application process shall be administered with courtesy, consideration, and respect.

(5) Administrative duties shall be performed in such a manner as to secure for every assistance group the full amount of benefits that it is legally entitled according to program regulations.

(6) The distinction shall be drawn between a "request for public assistance" (an application) and a "request for information" (an inquiry). An inquiry will not always result in an application. Any individual has the right to apply for benefits for themselves or on behalf of another individual.

(C) What shall be included in the application packet?

At the time the application request is made, the following documents are given or sent to the applicant or authorized representative:

(1) An application that includes the voter registration form. When an assistance group is currently receiving supplemental nutrition assistance program (SNAP) benefits and decides to apply for cash assistance at recertification, a new application for cash assistance shall be filed. The new application



shall contain, at minimum, his or her name, address and signature which shall establish the date of application for these additional benefits.

(2) The JFS 07501 "Program Enrollment and Benefit Information" (rev. 4/2018).

(D) When is an application packet provided?

(1) The county agency shall provide an application upon request. When the request is made in person at the county agency, the application packet shall be given the same day as the request.

(2) When the county agency receives the request by telephone or letter, the application packet is mailed the day that the request is received.

(3) The right to apply shall not be discouraged or denied. An individual/family who appears ineligible shall still be allowed to exercise the right to apply for assistance.

(E) Who shall sign the application?

(1) The application, meeting the minimum requirements described in paragraph (G)(1) of this rule, shall be signed by one of the following individuals in order to register the application:

(a) A payee for the assistance group;

(b) A caretaker for the assistance group;

(c) Another responsible member of the assistance group;

(d) A spouse or natural or adoptive parent of a member of the assistance group who is not an assistance group member, who resides with the assistance group, and can reasonably be determined to be acting responsibly for the assistance group; or

(e) An authorized representative for the assistance group.



(2) For other assistance groups identified on the application, an individual meeting one of the definitions provided in paragraph (E)(1) of this rule shall sign the application in order to register the request for assistance for that assistance group. The county agency shall notify the potential assistance groups of this requirement in writing no later than one working day following the interview.

(3) Since the interview may be scheduled after the actual date an application is submitted, and initial benefits are affected by the date of application, the county agency should provide a potential assistance group identified on the application an opportunity to sign and complete the minimum application requirements described in paragraph (G)(1) of this rule as soon as possible.

(4) A handwritten signature shall not be required when there is an electronic or telephonic signature. Electronic and telephonic signatures shall have the same legal effect and are enforced in the same way as a handwritten signature.

(F) What are the requirements for authorized representatives?

(1) The assistance group shall provide a written statement naming the authorized representative and the duties that the named authorized representative may perform on the assistance group's behalf.

(2) When written authorization cannot be obtained because of the individual's incompetency or incapacity, the county agency may waive the written statement and assist in naming a responsible party to act as authorized representative for the assistance group.

(3) The assistance group is responsible for notifying the county agency of any change in the named authorized representative.

(4) When the assistance group has an authorized representative named to act on its behalf, all notices and correspondence issued by the county agency on behalf of the assistance group shall be issued to both the authorized representative and the assistance group.

(5) In situations where an authorized representative provides incorrect or fraudulent eligibility information, the assistance group may still be held liable for any overpayments that occur. The



authorized representative will be held responsible for overpayments when the authorized representative is the legal guardian or legal trustee for the assistance group.

(6) When it is determined that the authorized representative has given incorrect information intentionally through no fault of the assistance group, a referral shall be made to the county prosecutor to determine when fraud has occurred on the part of the authorized representative. When the prosecutor's determination is that the authorized representative committed fraud, the authorized representative may be found liable for the overpayment.

(G) How is the application completed?

(1) The application should be filled out as completely as possible by the individual, but at a minimum shall include a name, address and signature of an individual specified in paragraph (E) of this rule.

(a) When the application is completed at the county agency, the person completing it may not be able to answer all of the questions completely from memory or personal knowledge.

(b) Each question on the application shall be completed to the fullest extent possible and any missing information shall be supplied during the interview or through the required verifications.

(2) The assistance group and/or authorized representative shall make an accurate and complete disclosure of all information necessary for a determination of eligibility. Such disclosure shall be made at the time of initial application, at reapplication, and within ten days of the date that any change specifically identified in rule 5101:1-2-20 of the Administrative Code occurs.

(3) The assistance group's report of an impending change in circumstances does not negate its responsibility to report any change identified in rule 5101:1-2-20 of the Administrative Code as a reporting requirement within ten days from the date the change actually occurs.

(H) What is the application date and how is an application registered?

(1) The county agency shall accept the application on the day it is turned into the county agency. The



"date of application" is the date that the county agency receives an application for existing assistance groups completing a telephone interview, that contains the minimum requirements described in paragraph (G)(1) of this rule. When an application is submitted by fax, electronically, or telephonic equivalent, the date of application shall be the date the county agency receives the application. When an application is received after business hours the date of application shall be the next business day.

(2) Upon receipt of an application containing the minimum requirements described in paragraph (G)(1) of this rule, the county agency shall enter the information into the statewide automated eligibility system.

(3) The date of application shall not be delayed by the county agency because of any local office procedure. The date of the interview shall not be used to delay the application date.

(4) The assistance group shall be given the opportunity to complete and return the application on the same date the application is requested. When this occurs, the date of application is the same day as the request.

(5) The county agency shall advise that the date of the application and the beginning date of benefits are dependent upon the date the application containing the minimum requirements described in paragraph (G)(1) of this rule is returned to the county agency provided all other eligibility factors are met on or before the date received.

(6) When an application containing the minimum requirements described in paragraph (G)(1) of this rule is returned by mail, the date of application shall be the date the county agency receives the application. When the county agency receives an application containing the minimum requirements described in paragraph (G)(1) of this rule from the social security administration, the date of application for all public assistance programs, except SNAP, shall be the date the county agency receives the application. All applications received by mail shall be date stamped the day received.

(I) What is the role of the county agency in the completion of the application process?

(1) The county agency shall help complete the application when assistance is requested and no other family member, close friend, authorized representative, or other appropriate individual is available.



(2) When the county agency assists or completes an application, the employee of the county agency shall sign his or her name and title/relationship to the assistance group on the application.

(3) A county agency employee shall not alter any answers given by the assistance group on the application. The county agency employee may assist in completing the application by asking the assistance group for answers needed to complete the application. The county agency employee may then mark or fill in the answer on the application.

(4) The normal process of inputting data provided by the applicant during the interview shall not be construed to mean that the county agency has assisted with the completion of the application.

(J) What are the interview requirements?

(1) An interview shall be scheduled as promptly as possible after the receipt and registration of an application containing the minimum requirements described in paragraph (G)(1) of this rule, to ensure that an eligible assistance group receives an opportunity to participate within the time frames for completion of the application process pursuant to paragraph (M) of this rule.

(2) When the primary language of the individual completing the interview is not English, the county agency shall offer an interpreter at no cost to the individual. The individual shall not be required to provide his or her own interpreter or use a family member, unless they desire to do so.

(3) When the individual who satisfies the interview requirement for the assistance group is not an assistance group member (e.g., authorized representative), and the county agency questions the information provided by that individual, the county agency retains the right to contact the assistance group to clarify the information.

(K) How can the interview be conducted?

(1) The county agency may conduct an:

(a) Office interview;



(b) Telephone interview; or

(c) Home visit (as long as it is scheduled in advance with the assistance group).

(2) The type of interview conducted is left to the county agency's discretion unless the applicant requests a face-to-face interview. The county agency shall grant a face-to-face interview to any assistance group that requests one.

(L) What are the county agency's responsibilities for the interview?

(1) The county agency shall provide:

(a) The JFS 07344 "Direct Deposit Authorization" (rev. 1/2018) when applicable; and

(b) The JFS 07501 when one has not already been provided.

(2) When the statewide automated eligibility system is unavailable, the JFS 01846, "Case Worksheet: Cash, Food Stamp, and Medical Assistance Interview" (rev. 5/2005), and the JFS 07501 shall be used to conduct the interview. The applicant shall be given a copy of the JFS 07501.

(3) Assist in obtaining verification and completing the voter registration forms when requested by the assistance group.

(4) Determine eligibility as soon as possible after the application requirements are complete.

(5) Document the eligibility determination in the case record.

(6) Send the JFS 07092, "Notice to Individuals Applying for or Participating in Ohio Works First (OWF) Regarding Cooperation with the Child Support Enforcement Agency (CSEA)" (rev. 3/2009), to the child support enforcement agency (CSEA) each time that an individual signs the form to claim good cause for refusal to cooperate with child support.



(M) What is the time frame for determining eligibility?

(1) For an OWF or refugee cash assistance (RCA) application, the determination of eligibility shall be completed within thirty days from the date of application.

(a) An OWF application awaiting completion of an applicant assignment may pend up to, but no longer than, thirty days from the date of application before authorization.

(b) No more than forty-five days may elapse between the date of application and the issuance of the benefit, or the notification of the approval or denial of assistance.

(2) The time frames may be exceeded in situations where completion of the determination of eligibility is delayed because of circumstances that are considered beyond the control of the county agency or assistance group such as:

(a) Failure, with good cause, to secure necessary verifications;

(b) Failure or delay on the part of an examining physician to provide all needed information.

(3) When calculating the thirty or forty-five day time periods, the following provisions are applicable:

(a) The initial day is excluded from the computation and the last day is included;

(b) When the last day of the time period falls on a Saturday, Sunday or legal holiday, the time period shall end on the next working day;

(c) This method shall be used in calculating all time periods, unless specified as working days.

(4) When the application pends longer than thirty days, running record comments shall be documented at least every thirty days with the reason for the delay.

(N) What is the purpose and location of the application interview?



(1) The interview shall be scheduled as promptly as possible after the receipt of an application containing the minimum requirements described in paragraph (G)(1) of this rule to ensure that an eligible assistance group receives an opportunity to participate within the time frames for completion of the application process pursuant to paragraph (M) of this rule.

(2) The interview is used to inform the assistance group of all required verifications, the time period that the verifications shall be submitted to the county agency, and the responsibility of the county agency to assist when help is needed in obtaining any items. The interview is also used to determine if the application has been thoroughly completed and if the information provided accurately represents the assistance group's situation.

(3) When the interview cannot be conducted in the county agency offices or by telephone, alternative locations and/or hours shall be arranged.

(O) What shall be covered in the application interview?

(1) The eligibility requirements for cash, and SNAP, including issuance and use.

(2) All information contained on the JFS 07501.

(3) The required verifications and information that shall be provided. This will include a review of those verifications already provided and those verifications remaining to be secured. The county agency shall also inform the assistance group of assistance that they can provide in securing the required verifications and information.

(4) The importance of abiding by the time limits for providing the verifications and additional information. The county agency shall emphasize that the application cannot be processed until the verifications and additional information are submitted.

(5) The joint responsibility for exploring all the factors of eligibility and the circumstances that the assistance group will be held responsible for presenting records or documents in its possession to support statements.



(6) The consequences for failing to accurately report the circumstances of the assistance group at the point of application and later when the circumstances should change. Possible recoupment of overpayments and/or referral to law enforcement officials for civil or criminal prosecution could result from a failure to fully and honestly report the circumstances at all times.

(7) The availability, purpose, and provision of appropriate social services programs within and outside the agency regardless of an individual's receipt of financial assistance.

(8) The responsibility of the parent for minor children and spouses for each other.

(9) The ability of the assistance group to meet its needs pending the receipt of the first benefit.

(10) The availability of free legal services through legal aid.

(11) An explanation of eligibility for a pregnant minor or minor parent and child to receive assistance as described in section 5107.24 of the Revised Code.

(12) An explanation of the SSC and the time limit requirements and extensions for the OWF program.

(13) An explanation of the waiver of OWF eligibility requirements due to domestic violence, including the good cause exception for refusal to cooperate with child support when applicable.

(14) An explanation of the individual's rights under the ADA, including the right to request reasonable modification in program activities.

(P) Follow-up after the application interview.

During the interview, the county agency shall offer assistance in getting any additional verifications or information that is needed in order to process the case. The county agency shall use the JFS 07105 "Application/Reapplication Verification Request Checklist" (rev. 10/2016). The checklist shall provide a date for the return of the verifications. When the required information and



verifications are not received by this date, benefits are denied.

(Q) What is considered a failure in the application process?

Failure to cooperate in the application process and the verification requirements shall result in a denial of the OWF or RCA application. Failure occurs:

- (1) When the information/verification is not provided after the county agency properly advised what information/verification is needed to determine eligibility provided no request for assistance in obtaining information/verification is received by the county agency; or
- (2) When the county agency is not given necessary information to assist in obtaining the verification needed to determine eligibility; or
- (3) When the assistance group fails to participate in a scheduled application interview.
- (4) For OWF, when any work eligible individual, minor head of household, or adult member of the assistance group fails to enter into a written SSC with the county agency.